

DOCUMENT
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CASE #05-cv-07668-RJS-JCF
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LEAD CASE: 04 Civ. 7922 (RJS) (JCF)
DOCKET IN CASES LISTED BELOW

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SARAH COBURN, : 05 Civ. 7623 (RJS) (JCF)
JEFFREY PHILLIPS, : 05 Civ. 7624 (RJS) (JCF)
EMILY SLOAN, : 05 Civ. 7668 (RJS) (JCF)
SANDRA GALITZER, : 05 Civ. 7669 (RJS) (JCF)
BETTY BASTIDAS, : 05 Civ. 7670 (RJS) (JCF)
LASHLEY CARNEY, : 05 Civ. 7672 (RJS) (JCF)
NIKOLIS SIKELIANOS, : 05 Civ. 7673 (RJS) (JCF)
UDO DRESCHER, : 05 Civ. 7541 (RJS) (JCF)

: Plaintiffs, : O R D E R

- against - :
:

THE CITY OF NEW YORK, et al., :
:

Defendants. :
-

JAMES C. FRANCIS IV
UNITED STATES MAGISTRATE JUDGE

Defendants having applied by letter motion for an order dismissing the claims of certain plaintiffs, it is hereby ORDERED as follows:

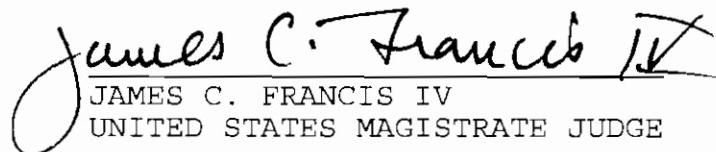
1. The emotional distress claims of Nikolis Sikelianos, Rafael Porto, and Joel Miller are dismissed, as these plaintiffs have declined to authorize the production of relevant mental health information.

2. The application to dismiss the physical injury claims of Mr. Sikelianos is denied since he has now produced the requested information relevant to that claim.

3. The application to dismiss the emotional distress claim of Michael Sladek is denied. He does not have custody or control of

4. The application to dismiss all claims of Mr. Sikelianos, Willard Shulmeister III, Steven Weaver, and Sara Heifetz is denied. Defendants have not demonstrated that remedies short of dismissal would be insufficient. The application to require these plaintiffs to be redeposed and for them to bear the costs and expenses is denied without prejudice to a specific showing of the need for such further deposition.

SO ORDERED.


JAMES C. FRANCIS IV
UNITED STATES MAGISTRATE JUDGE

Dated: New York, New York
November 1, 2007

Copies mailed this date:

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